



WISCONSIN

DEPARTMENT OF WORKFORCE DEVELOPMENT

Division of Economic Support
Bureau of Welfare Initiatives

**TO: Economic Support Supervisors
Economic Support Lead Workers
Training Staff
FSET Administrative and Provider Agencies
Child Care Coordinators
W-2 Agencies**

BWI OPERATIONS MEMO	
No.:	99-66
File:	2409
Date:	09/23/99
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Non W-2	[] W-2 [X] CC []
PRIORITY: High	

FROM: Stephen M. Dow
Program Implementation Team
Policy Analysis and Program Implementation Section

SUBJECT: W-2 CONTRACT MONITORING - FACT FINDING REVIEW REPORT

CROSS REFERENCE: Wisconsin Works Manual, Chapter 19

EFFECTIVE DATE: Immediately

PURPOSE

Each Wisconsin Works agency routinely submits a monthly report for a Fact Finding of participant requests to review their agency's decisions. This Operations Memo updates an earlier version of this report form.

BACKGROUND

Wisconsin Statutes 49.152 provides for a dispute resolution or Fact Finding process for applicants of participants to request a review of the W-2 agency's actions. Individuals who believe that an agency decision regarding any component of W-2, e.g., employment positions, Job Access Loans, Employment Skills Advancement Program, Child Care, Learnfare, Emergency Assistance) is incorrect may request a Fact Finding review by the W-2 agency within 45 days of the effective date of the agency's decision.

The Fact Finding review is an informal process to resolve issues, explain the proposed action or inaction, and permit the petitioner to present information. The W-2 agency shall date stamp all requests for Fact Finding reviews with the date the request was received. The agency must notify the petitioner of the date, time, and location of the Fact Finding review within 3 workdays of the date the request for review is received by the agency. The Fact Finding review must be offered within 5 workdays of the date that the notification of the Fact Finding was mailed.

The petitioner may have a representative to assist in contesting the agency's decision. The petitioner and/or representative must attend the Fact Finding review. If the petitioner fails to attend the review without good cause, the request for review is considered abandoned.

The W-2 agency shall issue its decision no later than 5 workdays after the review date. This date may be extended by the

fact finder if the petitioner requests to submit additional evidence is granted. It is possible that some disputes are resolved during the Fact Finding review and the decision can be issued at that time.

The W-2 agency shall deny a petition for W-2 review or refuse to grant relief if the petitioner:

1. Withdraws the petition in writing
2. Abandons the petition

DISCUSSION

Complete 1 form for each reporting month. On each form, list the Fact Finding cases heard by the agency. If no cases were heard, a note, "no Fact Finding review cases this month" should be written across the form. The completed form should be forwarded to the agency's regional office by the fifth of the month following the reporting month. The "Fact Finding Review Report" form and the "Directions" for completing this form are included in this memo. Information relative to Departmental reviews are not collected through this process.

CONTACT

If you have any questions relative the completion of the form or the Fact Finding review process, please contact your Area Administrator.

FACT FINDING REVIEW REPORT

Directions

Complete one form for each month. Each form should list the Fact Finding cases heard by the agency. If no cases were heard, a note, 'no Fact Finding cases this month' should be written across the form. The completed form should be forwarded to the agency's regional office by the fifth of the month following the reporting month.

This form is a model form and may be replicated by the agency provided all of the information contained on this model is included.

1. Complete the Agency Name, Reporting Month, Staff Person (agency contact person), and Telephone Number (agency contact person's) for each copy of the form.
2. More than one line may be used for a case, if needed.
3. Skipping a line between cases is permitted to avoid confusion.
4. Column headings:

Participant's Name: Case name

PIN or Case Number: CARES number

Review Request Date: Date the participant request a Fact Finding review

Reason for Fact Finding Review: Five program codes are offered for convenience. More than one code may be used. A descriptive word(s) may be added for clarity.

Review Date: Date the initial Fact Finding review occurs. The review may be Resolved or Withdrawn before the review date. If the agency or the participant does not appear at the review, the request should be considered Case Abandoned. Codes may be used to indicate these actions.

Decision Date: Date the decision is communicated to the participant

Decision in Favor: Six codes are offered for convenience. More than one code may be used, particularly if one of the parties are requested to do something to resolve the issue. A descriptive word(s) may be added for clarity. If a decision is not issued during the reporting month, the decision is Pending and remains pending until a decision is issued.

Attendance at Review: List all attendees at the review. If the agency or the participant does not show for the review, use a combination of codes: A-NS or Pt-NS.

5. Contact your regional office with any questions you have regarding completing this form.

MODEL FORMAT
FORMAT

MODEL

W-2 Contract Monitoring

FACT FINDING REVIEW REPORT

Agency Name: _____

Staff Person: _____

Reporting Month: _____

Telephone Number: _____

Participant's Name	PIN or Case Number	Review Request Date	Reason for Fact Finding Review	Review Date	Decision Date	Decision in Favor	Attendance at Review

Codes:

Reasons for Fact Finding Review

Employment Position	Emp
Child Care	CC
Job Access Loa	JAL
Emergency Assistance	EA
24-Month Ext. Request	Ext

Review Date

Resolved	R
Withdrew	W
Case Abandoned	CA

Attendance at Review

LAW	L
Other Legal Rep	O
No Show (list party)	NS
Participant	Pt
Agency	A